

## BACKGROUND

### Facility Description

Associated Plating Company ("Associated Plating" or "the Facility") specializes in nickel metal plating, but also performs plating operations with copper, tin, tin-lead alloys, gold and silver. No cadmium or chromium plating is performed by the Facility. The Facility is located at 936 Ann St., Santa Fe Springs, CA, and has occupied its current location since the mid-1970s. The Facility currently employs 52 workers. Per the manifest database of the California Department of Toxic Substance Control (DTSC), Associated Plating generates sufficient quantities of RCRA hazardous waste to qualify as a Large Quantity Generator.

Per Associated Plating's 2001 Biennial Report, the Facility generated the following hazardous wastestreams:

- Rinse water from electroplating operations containing traces of lead (D008)
- Wastewater treatment sludge from plating operations containing metal hydroxide (F006)
- Rinse water from electroplating operations containing traces of cyanides (D003)
- Spent stripping solutions containing copper and nickel (D002)
- Spent tetrachloroethylene used for degreasing parts (F001)
- Spent gold stripping solution containing cyanide (F009)
- Spent silver and gold plating solutions containing cyanide (F007)
- Waste paint material (D001)

Associated Plating submitted an initial Notification of Hazardous Waste Activity on 8-15-80 identifying itself as a generator of F001, F006, F007, F008, and F009 hazardous waste (Attachment 2) and was assigned an EPA identification number of CAD043079110. The Facility renotified to inform EPA of a change of ownership on 11-15-99, this time identifying itself as a large quantity generator of the following hazardous waste: D002, D003, F001, F006, F008 and F009 (Attachment 3). *wastes*

### Enforcement History

The EPA inspection database indicates that Associated Plating was previously inspected on 11-5-1992 by the ~~California Department of Toxic Substance Control (DTSC)~~ where pre-transport related generator violations were noted and subsequently corrected. The Facility was last inspected by the Santa Fe Springs Fire Department Environmental Protection Division on 2-7-02 (Attachment 4), where the following violations were noted:

- Labeling violations (no labels, unreadable labels, incomplete labeling);
- Storage together of incompatible wastes; *illegible?*
- Storage of hazardous wastes for over 90 days;
- Releases of hazardous wastes;
- Incomplete training records.

The Facility returned to compliance on 2-26-02.

## Plating Process Description

Associated Plating operates four plating lines, as follows:

- Line 1: nickel, alkaline tin and acid tin plating;
- Line 2: tin, tin-lead, nickel plating (for parts requiring solderability)
- Line 3: nickel plating barrel line (for large volumes of small parts (nuts, bolts, etc.). Parts to be plated are placed in a barrel with a mesh screen, and the barrel is rotated in the plating solution)
- Line 4: Electroless nickel plating (used on aluminum substrates)

Plating operations differ from line to line, but the basic operation is as follows:

- Tank 1: Alkaline soak (removes oils and dirt from substrate);
- Tank 2: Electro-cleaner. Part is placed in an alkaline solution through which an electric current is run. Tanks vary in size, according to which line is used, from 70 gallons to 1300 gallons. Solution pH ranges from 12 to 13. Tank is changed every 3 to 6 months. Spent solution is processed through the Facility's wastewater treatment system;
- Tank 3: Rinse tank.
- Tank 4: Acid bath: 30% hydrochloric acid solution. Prepares substrate for the plating process. Bath is changed approximately every 2 months. Spent acid is neutralized on site, metals are precipitated out, and the remaining solution is processed through the wastewater treatment system;
- Tank 5: Nickel strike tank (used in nickel plating lines). Provides a more receptive substrate for the subsequent nickel plating. Solution consists of nickel chloride and hydrochloric acid, with an electric current passed through it.
- Tank 6: Rinse tank
- Tank 7: Nickel plating tank (400 gallons): Electroplating operation using nickel sulfamate.

For parts requiring only a nickel plating, the process ends here. For a part that is to be gold-plated (with a nickel substrate) the process continues as follows:

- Tank 8 Gold strike. Solution of potassium gold cyanide with an inert anode of titanium mesh with a platinum coating. Solution is used indefinitely without changing, but with occasional replenishing;
- Tank 9 Gold plating tank. Solution of potassium gold cyanide, with an inert cathode. Electric current is passed through the solution and the part acts as a cathode, with the gold deposited on it.
- Tank 10 Gold drag out. A static tank. Current passing through the solution deposits trace amounts of gold on a plating cell for gold recovery.

The Facility also has a small laboratory in which the plating solutions are analyzed on a weekly basis. Both wet analysis and atomic absorption analysis are performed in the lab. Solutions analyzed are returned to the baths once the analysis has been completed.

## INVESTIGATION

The purpose of the investigation was to determine Associated Plating's compliance with applicable federal environmental statutes and regulations, and in particular, the Resource Conservation and Recovery Act (RCRA), as amended, the regulations provided in the Code of Federal Regulations (CFR), Chapter 40, Parts 261-265, 268 and 279, and the California Code of Regulations (CCR), Title 22, Division 4.5 and the California Health and Safety Code, Division 20, <sup>Chapter 6.5</sup> On November 17, 2003, Clint Seiter and Aubrey Baure, representing the U.S. Environmental Protection Agency (EPA), and accompanied by Richard Kallman, representing the Santa Fe Springs Fire Department, conducted an unannounced site investigation at Associated Plating, Santa Fe Springs, CA (EPA ID# CAD043079110). Upon providing introductions and credentials, the inspectors contacted Ms. Diana Crane, the Facility's quality manager. The inspectors explained that this was a routine inspection to determine whether or not the Facility was in compliance with federal and state regulations concerning the proper management of RCRA and non-RCRA hazardous wastes. The inspection would consist of a walkthrough of the Facility, focusing on those areas where hazardous wastes were handled or stored, with photos taken, followed by a record review and a post-inspection outbriefing. In the course of the pre-walkthrough briefing, the inspectors provided Ms. Crane with a copy of the Small Business Regulatory Enforcement Fairness Act (SBREFA) Information Sheet.

### **Walk-Through Inspection (see Attachment 5 for a Facility layout)**

#### **-Plating Line 5**

The inspectors noted the following:

- Four open, 15-gallon carboys containing spent nickel filters (a non-RCRA, California only hazardous waste) (Attachment 1, Photo 1). The carboys were unlabeled. In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), these filters were identified as a non-RCRA, California-only hazardous waste.

#### **- Plating Line 1**

The inspectors noted the following:

- One open, unlabeled, green 5-gallon bucket, 3/4 filled with a black liquid (Attachment 1, Photo 2). The Facility representative was unable to identify the bucket's contents at the time of the inspection. In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "chromate rinse used in processing" returned to the rinse system;
- One open, unlabeled 5-gallon bucket, 1/8 full of unidentified black liquid (Attachment 1, Photo 3). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "chromate rinse used in processing" returned to the rinse system;

- One open, unlabeled 15-gallon carboy, 1/4 full with a clear liquid (Attachment 1, Photo 4). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "chromate rinse used in processing" returned to the rinse system;
- Two open, unlabeled 30-gallon containers of a clear liquid (Attachment 1, Photo 5). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "chromate rinse used in processing" returned to the rinse system;
- One 10-gallon container with a dark yellow liquid (Attachment 1, Photo 5) identified as "chromate rinse used in processing" returned to the rinse system;
- One unlabeled 55-gallon drum. In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "copper solution removed from tank during pump repair - returned to tank";
- One 55-gallon, closed drum, labeled with the words: "chromium etch, cleaners line 4, tank 4, 6/11/03". In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this was identified as "chromate rinse used in processing" that was returned to the rinse system;
- One 55-gallon, unlabeled, closed drum. In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "chromate solution that had been decanted from a process tank - reused";

**- Between Lines 1 and 3**

The inspectors noted the following:

- One open, unlabeled 55-gallon drum, 1/8 full (Attachment 1, Photo 6). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "rinse water from chromate processing";
- Two open unlabeled 15-gallon carboys (Attachment 1, Photo 7). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "spent sulfuric acid solution used for hourly cleaning of the electro coagulation unit". Per this letter, this was identified as a D002 hazardous waste, with an accumulation start date of 10-17-03. The waste was transported offsite for disposal on 12-16-03;
- One open, unlabeled 55-gallon drum, 3/4 full of a greenish liquid (Attachment 1, Photo 8). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "in-process sulfuric acid used for hourly cleaning of the electro coagulation unit";
- Three open, unlabeled 15-gallon containers, approximately 1/4 full (Attachment 1, Photo 9). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "evaporated chromate rinses. Returned to process tank to recover chemistry."
- Four, closed 55-gallon drums (Attachment 1, Photo 10):
  - 1<sup>st</sup> drum labeled: "line 3, copper flow, 3-13-03";
  - 2<sup>nd</sup> drum labeled: "line 3, copper flow, 3-13-03";
  - 3<sup>rd</sup> drum labeled: "copper rinse, 3-13-03";



- 4<sup>th</sup> drum labeled: "copper rinse, 3-13-03";

In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), drums' contents were identified as "water collected from routine berm cleaning" which was subsequently treated onsite via the Facility's wastewater treatment system;

- *Waste Code?*  
*open?*  
Two black, 15-gallon carboys, 1 filled with a white solid, one filled with a white solid and 3 inches of liquid (Attachment 1, Photo 11). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), solids identified as "solids from copper tank maintenance", with an F008 RCRA hazardous waste code. Per the letter the waste had been generated on 9-12-03 and had yet to be disposed of.

#### **- Between Lines 2 and 4**

The inspectors noted the following:

- *open?*  
Two tubes (one yellow, one black), filled with a milky fluid (Attachment 1, Photo 12). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "in-process solution used for tin stripping";
- One open, 5-gallon red bucket with a "Hazardous Waste" label, 1/8 full of clear liquid with a yellow deposit (Attachment 1, Photo 13). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), this liquid was identified as "dehydrated rinses from chromate treatment", an F006 RCRA hazardous waste. Per the letter, the waste's accumulation start date was 9-12-03 and it had yet to be disposed of;

#### **- Blasting Booth**

Per the Facility representative, a mixture of silicon aluminum oxide and pumice is used as a blasting medium. Spent blasting medium is disposed of with the filter cake generated from the Facility's waste water treatment system (Attachment 1, Photo 14).

#### **- Electroless nickel pumping room**

Per the Facility representative, the pipes which convey the electroless nickel plating solution expand due to the heat generated in the Facility, and leak solution. There was an open catch basin underneath the pipes to collect any solution that leaks from the pipes. There was also an open, unlabeled bucket containing discarded steel wool plated with nickel (with spent electroless nickel plating solution, the nickel is plated out onto steel wool before the solution is processed out through the Facility's wastewater treatment system). This nickel plated steel wool is a non-RCRA, California only hazardous waste.

#### **- Line 3**

The inspectors noted the following (Attachment 1, Photo 15):

- One open, unlabeled, blue 5-gallon bucket;
- One open, unlabeled, white 5-gallon bucket containing an unidentified brown liquid;
- One open, unlabeled, white 2-gallon bucket containing an unidentified brown liquid;
- One open, unlabeled, red 5-gallon bucket containing an unidentified black liquid;

The Facility's letter to EPA dated December 22, 2003 (Attachment 7), stated that these buckets contained "alkaline cleaner from tank skimming". Per the Facility letter, this was a D002 RCRA hazardous waste generated on 11-17-03 and treated on site on 11-19-03.

- One open, unlabeled, blue, 15-gallon drum, 3/4 filled with black liquid. The Facility's letter to EPA dated December 22, 2003 (Attachment 7), stated that this drum contained "cleaner sludge from tank maintenance" (Attachment 1, Photo 16) that was returned to the process tank. *re-plated*

#### - Waste Storage Yard (Stripping Area)

Per the Facility representative, occasionally errors occur in the nickel plating process, and the part has to be stripped of the nickel by immersion in a hydrochloric acid solution and *re-plated*. Spent stripping solution is stored in this area for neutralization.

*not labeled*  
The inspectors noted 21 55-gallon drums of spent stripping solution in the stripping area, which, per the Facility representative were D002 RCRA hazardous wastes because of their corrosivity. None of the drums were labeled (Attachment 1, Photo 17). The immediate stripping room consisted of a 15'x10' bermed area, *about 8 inches deep*, covered with a grate (Attachment 1, Photo 18). The inspectors noted that the area beneath the grating was filled with liquid. A piece of litmus paper was applied to the liquid, and the inspectors determined that the liquid had a pH of approximately 1, which would qualify the liquid as a D002 RCRA corrosive hazardous waste.

#### -Waste Storage Yard (Main Area)

The main waste storage yard was a large, enclosed exterior area filled with 55-gallon drums, none of them labeled except for a number written on the sides or tops (Attachment 1, Photos 19-21). The Facility representative *database* informed the inspectors that numbers identified the drums in a central tracking system database. Per the representative, many of the drums contained hazardous wastes (either RCRA or non-RCRA, California only), some contained non-hazardous waste, and some contained product. The representative said that the database indicated there were 193 drums in the yard. This conformed to the rough estimate that the inspectors made (a more accurate count was difficult because drums were dispersed in various parts of the yard). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), the Facility provided an inventory of the drums, identifying their contents, their waste codes (if applicable) and their accumulation start dates, when possible. Based upon this inventory, the following table summarizes the RCRA hazardous waste containers stored in the waste storage yard at the time of the inspection:

TABLE 1					
Drum #	Waste name	Waste code	Accumulation start date	Disposal date	# days stored
1	Nickel strip	D002	8-7-03	12-12-03	128
2	Nickel strip	D002	8-21-03	12-12-03	114
5	Nickel strip	D002	8-7-03	12-12-03	128
6	Nickel strip	D002	8-21-03	12-12-03	114
7	Nickel strip	D002	9-4-03	12-12-03	100
9	Unknown acidic	D002	unknown*	12-10-03	?
25	Unknown acidic	D002	unknown*	12-10-03	?
26	Unknown acidic	D002	unknown*	12-10-03	?
27	Unknown acidic	D002	unknown*	12-10-03	?
30	Unknown alkaline	D002	unknown*	12-5-03	?
35	Nickel strip	D002	9-11-03	12-12-03	93
36	Nickel strip	D002	9-25-03	12-12-03	79
40	Silver strip	D002	unknown*	still at site	?
41	Silver strip	D002	unknown*	still at site	?
42	Nickel strip	D002	9-18-03	12-12-03	77
47	Nickel strip	D002	10-16-03	12-12-03	58
49	Nickel strip	D002	7-24-03	12-12-03	142
52	Unknown acidic	D002	unknown*	12-5-03	?
55	Liquid from filters	F006	10-3-03	10-17-03	14
60	Unknown acidic	D002	unknown*	12-10-03	?
61	Unknown acidic	D002	unknown*	12-10-03	?
62	Unknown acidic	D002	unknown*	12-10-03	?
64	Unknown acidic	D002	unknown*	12-10-03	?

Drum #	Waste name	Waste code	Accumulation start date	Disposal date	# days stored
66	Unknown acidic	D002	unknown*	12-10-03	?
67	Unknown acidic	D002	unknown*	12-4-03	?
68	Unknown acidic	D002	unknown*	12-10-03	?
81	Unknown acidic	D002	unknown*	12-10-03	?
84	Unknown acidic	D002	unknown*	12-10-03	?
85	Unknown acidic	D002	unknown*	12-10-03	?
86	Unknown acidic	D002	unknown*	12-10-03	?
102	Unknown acidic	D002	unknown*	11-17-03	?
103	Unknown acidic	D002	unknown*	12-5-03	?
104	Unknown acidic	D002	unknown*	12-5-03	?
105	Unknown acidic	D002	unknown*	12-5-03	?
106	Unknown acidic	D002	unknown*	12-10-03	?
107	Unknown acidic	D002	unknown*	12-5-03	?
176	Nickel strip	D002	11-6-03	12-12-03	37

\* In a post-inspection telephone conversation, the Facility representative informed the inspector that it was impossible to ascertain the accumulation start dates of these containers, many of whom were stored on the Facility premises when she first began her employment at the Facility in July, 2003.

During the inspection the inspectors informed the Facility representative that all drums of RCRA and non-RCRA hazardous wastes had to conform to the regulatory labeling requirements as described in Title 22 of the California Code of Regulations (CCR).

The inspectors also noted the following:

- <sup>one</sup> six unlabeled supersacs that were identified by the Facility representative as containing F006 filter cake (Attachment 1, Photo 22);
- one 1200-gallon open tank, labeled only "treated sludge" (Attachment 1, Photos 23 and 24). There was a clear liquid in the tank, with approximately 2" of freeboard. In the Facility's December 22, 2003 letter, the Facility identified the tank's contents as "spent cleaner solution", with a D002 RCRA hazardous waste code. The Facility representative



- was unable to provide an accumulation start date.
- two unlabeled 2500 gallon tanks, filled, according to the Facility representative, with "cadmium treatment coagulate" (Attachment 1, Photo 25), which, per the Facility representative, is part of the closed loop rinse system.

The inspector also noted that there was no internal alarm in the waste storage area, as required under CCR Title 22 §66265.34(a).

#### **- Analytical Lab**

The inspectors noted a 1-gallon container with a hazardous waste label that was not filled out, except for the words "Sulfuric Acid" (Attachment 1, Photo 26). In the Facility's letter to EPA dated December 22, 2003 (Attachment 7), the Facility identified this as a product used in lab analysis, not a waste.

The inspectors also noted two open, unlabeled 5-gallon buckets of plating solutions slated for lab analysis (Attachment 1, Photo 27), identified as acidic and alkaline titration solutions from lab analysis.

#### **Record Review**

Manifests: the inspectors noted no manifest discrepancies.

Biennial Report, Contingency Plan, Training Records: the Facility representative was not able to readily locate these documents. The inspectors requested that, once located, she mail them to the EPA for review. Training records and manifests for 2004, 2003 and 2002 were submitted to EPA in the Facility's December 22, 2003 letter (Attachment 7). No violations were noted upon review of these documents.

The facility's contingency plan was submitted on January 23, 2004. A review of this document revealed that the contingency plan conformed to the regulatory requirements as described in CCR Title 22 §66265.542 except that it lacked a list of all emergency equipment, including the location and brief description of each device.

#### **Post Inspection**

On December 2, 2003, EPA mailed to the Facility a 3007(a) Request For Information letter, requesting the following (Attachment 6):

- **In the print-outs provided of 186 waste containers in the waste storage yard:**
  - **the waste codes (RCRA and/or non-RCRA, California only) for the contents of each container;**
  - **the accumulation start date (i.e., when the container was first filled with the**

waste) with any available documentation, for each container.

- Copies of all hazardous waste manifests for the years 2001, 2002 and 2003;
- Training records as described in Title 22 of the California Code of Regulations §66265.16(d)(1)-(4), that is:
  - the job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job;
  - a written job description for each position listed;
  - a written description of the type and amount of both introductory and continuing training that will be given to each person listed above;
  - records that document that the training or job experience required have been completed.
- Waste determinations of the various unlabeled containers noted along the plating lines during the 11-17-04 inspection (as detailed above in this report).

The Facility responded with a letter to EPA dated December 22, 2003 (Attachment 7), which included the information referenced in the report above.

On January 23, 2004, the facility submitted a copy of its contingency plan to EPA as described above.

## **POTENTIAL RCRA VIOLATIONS**

### **Failure to make a hazardous waste determination**

**Title 22 §66262.11  
(40 CFR §262.11)**

**A person who generates a waste shall determine if that waste is hazardous.**

The facility did not make hazardous waste determinations for the following wastes:

- 4 55-gallon drums of wastewater collected from routine berm cleaning, between Plating Lines 1 and 3;
- \* - wastewater beneath the grate in the stripping room.

### **Satellite Accumulation Area Labeling Requirements**

**Title 22 §66262.34(e)(1)(E)  
(40 CFR §262.34(c))**

**A generator may accumulate as much as 55 gallons of hazardous waste at or near any point of generation if each container used for onsite accumulation is labeled with the words "Hazardous Waste" and with the following information:**

- (A) the initial date of waste accumulation is clearly marked and visible for inspection on each container used for accumulation of hazardous waste;**
- (B) composition and physical state of the waste;**
- (C) the particular hazardous properties of the waste;**
- (D) the name and address of the person producing the waste.**

The following satellite accumulation area hazardous waste containers did not have this labeling information:

- 2 ~~open~~ unlabeled 15-gallon carboys of spent sulfuric acid (D002) between Lines 1 and 3;

- 2 15-gallon carboys of F008 hazardous waste between Lines 1 and 3;
- 1 open, 5-gallon red bucket, 1/8 full of F006 hazardous waste between Lines 2 and 4;
- 4 open buckets of alkaline cleaner from tank skimming (D002) by Line 3;
- 2 open buckets of D002 plating solution waste in the Facility laboratory.
- 1 bucket of nickel-plated steel wool (a non-RCRA, California only hazardous waste) in the pumping room was unlabeled.

*delete  
ground back in tank*

#### 90-Day Hazardous Waste Storage Area Labeling Requirements

Title 22 §66262.34(a)(3) and (f)  
(40 CFR §262.34(a)(3))

*non-RCRA*

Each container used for onsite accumulation of hazardous waste shall be labeled or marked clearly with the words "Hazardous Waste". Additionally, all containers shall be labeled with the following information:

- the initial date of waste accumulation is clearly marked and visible for inspection on each container used for accumulation of hazardous waste;
- composition and physical state of the waste;
- the particular hazardous properties of the waste;
- the name and address of the person producing the waste.

The Facility did not provide this labeling information for the following waste containers in the 90-day storage yard:

- All the containers listed in the above TABLE 1;
- 6 supersacs of F006 filter cake;
- 1 1200-gallon tank of D002 spent cleaner solution.



## **Open Containers**

**Title 22 §66265.173(a) (Article 9)  
(40 CFR §265.173(a))**

**Title 22 §66262.34(a)(1)(A) states that a generator may accumulate hazardous waste on-site without a permit provided that the generator complies with the applicable requirements of articles 9 of chapter 15. Title 22 §66265.173(a) (Article 9) states that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.**

The following hazardous waste containers were open at the time of the inspection:

- 2 open, unlabeled 15-gallon carboys of spent sulfuric acid (D002) between Lines 1 and 3;
- 1 open, 5-gallon red bucket, 1/8 full of F006 hazardous waste between Lines 2 and 4;
- 4 open buckets of alkaline cleaner from tank skimming (D002) by Line 3;
- 2 open buckets of D002 plating solution waste in the Facility laboratory.

## **Storage over 90 days**

**Title 22 §66262.34(a)  
(40 CFR §262.34(a))**

**A (large quantity) generator may accumulate hazardous waste on-site for 90 days or less without a permit.**

A minimum of 7 55-gallon drums of D002 nickel stripping solution were stored on the facility premises for over 90 days.

## **Maintenance and operation of facility**

**Title 22 §66265.31  
(40 CFR §265.31)**

**Per Title 22 §66262.34(a)(4), a generator may accumulate hazardous waste on-site for 90 days without a permit provided that the generator complies with the**

requirements in articles 3 and 4 of chapter 15 and section 66265.16.

**Title 22 §66265.31 (Article 3) states that facilities shall be maintained and operated to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste which could threaten human health or the environment.**

The bermed area beneath the grate in the stripping room was filled with a D002 hazardous waste.

#### **Waste Storage Area Internal Alarm**

**Title 22 §66265.34(a)  
(40 CFR §265.34(a))**

**Title 22 §66265.34(a) (Article 3) states whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device.**

There was no such alarm or communication device mounted in the Facility's waste storage area.

#### **Incomplete contingency plan**

**Title 22 §66265.52(e)  
(40 CFR §265.52(e))**

**Title 22 §66265.52(e) (Article 3) states that the contingency plan shall include a list of all emergency equipment, include each device's location and a brief description.**

The facility's contingency plan lacked this information.

## **POTENTIAL NON-RCRA, CALIFORNIA-ONLY VIOLATIONS**

### **Satellite Accumulation Area Labeling Requirements**

#### **Title 22 §66262.34(e)(1)(E)**

A generator may accumulate as much as 55 gallons of hazardous waste at or near any point of generation if each container used for onsite accumulation is labeled with the words "Hazardous Waste" and with the following information:

- the initial date of waste accumulation is clearly marked and visible for inspection on each container used for accumulation of hazardous waste;
- composition and physical state of the waste;
- the particular hazardous properties of the waste;
- the name and address of the person producing the waste.

-Four 15-gallon carboys containing spent nickel filters (a non-RCRA, California only hazardous waste) by Line 5 were unlabeled;

### **90-Day Storage Area Labeling Requirements**

#### **Title 22 §66262.34(f)**

Generators who accumulate hazardous waste on site without a permit shall comply with the following requirements:

- the date upon which each period of accumulation begins shall be clearly marked and visible for inspection on each container;
- each container shall be labeled or marked clearly with the words, "Hazardous Waste". Additionally, all containers shall be labeled with:
  - composition and physical state of the wastes;
  - statement which calls attention to the particular hazardous

**properties of the waste (e.g., flammable, reactive, etc.);**  
**- name and address of the person producing the waste.**

89 55-gallon drums of non-RCRA hazardous waste were unlabeled in the Facility's 90 day storage area.

#### **Storage over 90 days**

##### **Title 22 §66262.34(a)**

**A (large quantity) generator may accumulate hazardous waste on-site for 90 days or less without a permit.**

A minimum of 57 55-gallon drums of non-RCRA hazardous waste were stored in the Facility's hazardous waste storage area for over 90 days.

#### **Open Containers**

##### **Title 22 §66265.173(a) (Article 9) (40 CFR §265.173(a))**

**Title 22 §66262.34(a)(1)(A) states that a generator may accumulate hazardous waste on-site without a permit provided that the generator complies with the applicable requirements of articles 9 of chapter 15. Title 22 §66265.173(a) (Article 9) states that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.**

- Four 15-gallon carboys containing spent nickel filters (a non-RCRA, California only hazardous waste) by Line 5 were open
- One bucket of nickel-plated steel wool (a non-RCRA, California only hazardous waste) in the pumping room was open.